

AMG
8/16/23

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

In the Matter of the Search of }
 (Briefly describe the property to be searched }
 or identify the person by name and address) }
 A white in color 2013 Infinity model M37 sedan bearing }
 Oklahoma license plate (OKLP) NGJ092 and }
 vehicle identification number (VIN) JN1BY1AR8DM600903. }
 Case No. M-23-638 -AMG

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the Western District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

evidence of a crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

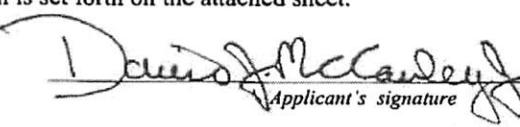
<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(o)	Unlawful Possession of a Machinegun

The application is based on these facts:

See attached Affidavit.

Continued on the attached sheet.

Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

David J. McCauley, Jr., Special Agent (ATF)

Printed name and title

Sworn to before me and signed in my presence.

Date: 8/16/23

City and state: Oklahoma City, Oklahoma



Judge's signature

AMANDA MAXFIELD GREEN, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, David J. McCauley, Jr., having been duly sworn, depose and state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a division of the United States Department of Justice, having been so employed since June 2018. Prior to my employment with the ATF, I was a Police Officer in Hampton, Virginia for seven years. I am a graduate of the Department of Homeland Security's Criminal Investigator Training program as well as the ATF Special Agent Basic Training Program. I have been assigned to the ATF Oklahoma City Field Office since December 2018. As a Special Agent with ATF, I am vested with the authority to investigate violations of federal laws including the Gun Control Act of 1968, as amended (Title 18, United States Code, Sections 921 et seq.), explosives, arson, alcohol, and tobacco laws, as well as to execute warrants under the authority of the United States.

2. I am investigating Anthony Dewayne TAYLOR (TAYLOR). As described below, there is probable cause to believe that TAYLOR has violated 18 U.S.C. § 922(o) by unlawfully possessing a machinegun. I submit this Application and Affidavit in support of a search warrant authorizing a search of TAYLOR's vehicle, described as a white in color 2013 Infinity model M37 sedan bearing Oklahoma license plate (OKLP) NGJ092 and vehicle identification number (VIN) JN1BY1AR8DM600903 (SUBJECT

VEHICLE), which is currently in law enforcement custody within the Western District of Oklahoma, sealed and secured at Morgan Towing Secured Lot, located at 317 NE 31st Street, Oklahoma City, Oklahoma 73105. **SUBJECT VEHICLE** is further described in **Attachment A**.

3. Because this Affidavit is submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence, fruits, and instrumentalities of the foregoing violations are presently located within the **SUBJECT VEHICLE**.

4. Based upon my training and experience, I have learned that people involved in the violation of Federal firearms laws frequently maintain books, records, receipts, notes, ledgers, bank records, money orders, and other papers relating to the purchase, manufacture, transportation, ordering, sale and illegal transport, transfer, and exportation of weapons and ammunition. Additionally, people engaged in violation of Federal firearms laws maintain literature pertaining to the assembly, manufacture, and functioning of weapons and ammunition, including, but not limited to: books, pamphlets, drawings, sketches, diagrams, photographs, photocopies, and computer generated or computer stored information of the same. These items may exist in physical form or may be contained within electronic devices.

FACTS SUPPORTING PROBABLE CAUSE

5. On April 6, 2023, at approximately 11:15 a.m., Bethany Police Department (BPD) Chief John Reid was operating an unmarked unit, traveling in the inside lane

westbound on NW 23rd Street near the 7600 block in Bethany, Oklahoma. The posted speed limit in this area is 35 miles per hour (MPH).

6. Chief Reid observed a white in color 2013 Infinity model M37 sedan bearing OKLP NGJ092 (**SUBJECT VEHICLE**) pass the unmarked unit, traveling in the outside lane of westbound NW 23rd Street at a high rate of speed, which he estimated to be approximately 65 MPH. Chief Reid immediately sped up, trying to catch up to the Infinity, and utilized the radio to call for the assistance of other officers. The unmarked unit reached a speed of approximately 60 MPH trailing **SUBJECT VEHICLE**, but it continued to pull ahead. **SUBJECT VEHICLE** stopped at a red light at the intersection of NW 23rd Street and N. Council Avenue and Chief Reid stopped behind it, activating his emergency equipment to initiate a traffic stop.

7. Chief Reid approached **SUBJECT VEHICLE** and made contact with the driver and sole occupant, identified as Anthony Dewayne TAYLOR. When asked for his driver's license and registration, TAYLOR provided a license that had been cut in half and a document indicating that insurance on the vehicle had expired in March 2023.

8. BPD Officer James Irby arrived on scene to assist. He checked TAYLOR's driver's license status through law enforcement databases and determined that it was suspended; insurance on the vehicle also came back as unconfirmed. TAYLOR was issued citations for speeding, no proof of insurance, and driving under suspension, and was advised that the vehicle would be impounded. Ofc. Irby asked TAYLOR to exit **SUBJECT VEHICLE** and to sit on the curb while he conducted a vehicle inventory. BPD Deputy Chief Chad Meek remained with TAYLOR during the search.

9. During the search of **SUBJECT VEHICLE**, Ofc. Irby observed a Glock GMBH, model 26Gen5, 9mm caliber pistol, bearing serial number AGPT380 laying on the floorboard in front of the driver's seat.¹ The firearm was photographed and seized as evidence. While securing it, Ofc. Irby noticed that it was fitted with what appeared to be a silver conversion device on the back of the slide.

10. Machinegun conversion devices such as the one installed in the firearm recovered from TAYLOR's vehicle are commonly known as "Glock switches." Based upon my training and experience, I know that a Glock switch is a part, or combination of parts, designed and intended for use in converting a semi-automatic Glock pistol into a machinegun. Conversion is fast, simple, and requires no technical expertise, generally involving the removal of the original polymer slide cover plate and replacing it with the machinegun conversion device, often made of metal. The result of the conversion of a Glock pistol is typically a rate-of-fire of approximately 1200 rounds per minute. Therefore, an installed Glock switch converts a semi-automatic firearm into a machinegun as defined in 18 U.S.C. § 921(a)(23).²

¹ As Ofc. Irby and Dep. Chief Meek tried to place TAYLOR in handcuffs, TAYLOR pulled his arms free and attempted to flee. As TAYLOR ran from Ofc. Irby back toward the Infinity, Dep. Chief Meek tackled him. Restrained by both Dep. Chief Meek and Ofc. Irby, TAYLOR continued to resist before ultimately being placed in handcuffs and secured in the back of a patrol car.

² For purposes of a criminal violation under 18 U.S.C. § 922(o), 18 U.S.C. § 921(a)(23) adopts the definition of "machinegun" as set forth in the National Firearms Act, 26 U.S.C. § 5845(b): "[t]he term 'machinegun' means any weapon which shoots, is designed to shoot, or can readily be restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and

11. On April 18, 2023, I responded to BPD to take custody of the seized evidence. The same day, I submitted photographs of the seized device to the ATF Firearms and Ammunition Technology Division and received confirmation that the device meets the statutory definition of a machinegun pursuant to 18 U.S.C. § 921(a)(23) and 26 U.S.C. § 5845(b).

12. On April 21, 2023, I conducted a National Firearms Registration and Transfer Record (“NFRTR”) request for TAYLOR, which would yield registration records had TAYLOR submitted any. On April 24, 2023, I received the results of the NFRTR record request, which demonstrated that no records were located as to TAYLOR. As a result, the machinegun that TAYLOR possessed was not registered to him at any time.

13. On August 15, 2023, TAYLOR was charged in a single-count criminal complaint in the Western District of Oklahoma with unlawful possession of a machinegun, in violation of 18 U.S.C. § 922(o), pursuant to which the Court issued a warrant for TAYLOR’s arrest.

14. Law enforcement obtained intelligence that TAYLOR is employed at a business located 8501 N. I-35 Service Road, Oklahoma, Oklahoma City 73131. Officers began to conduct surveillance at that location during the evening of August 15, 2023, and

exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.” (Emphasis added). Accordingly, based upon my training and experience, a Glock switch meets the definition of “machinegun” as it is a part that is solely intended to convert a weapon into a machinegun. Under 18 U.S.C. § 922(o), it is a federal crime for any person to transfer or possess a machinegun.

observed **SUBJECT VEHICLE** in the parking lot. Contact was made with employees there, who advised that TAYLOR had arrived in **SUBJECT VEHICLE** and was set to return to the business at approximately 7:30 p.m.

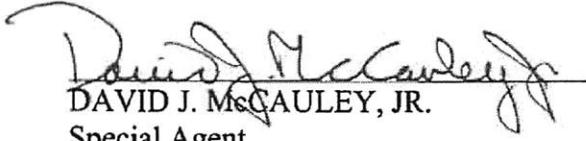
15. I maintained surveillance on **SUBJECT VEHICLE** from that point until TAYLOR's return at approximately 7:50 p.m. Upon arrival, TAYLOR entered the business and exited several minutes later. TAYLOR then approached **SUBJECT VEHICLE** and the arrest was initiated. TAYLOR attempted to flee the area when approached by law enforcement but was quickly surrounded and taken into custody without further incident. TAYLOR was placed under arrest and transported to Cleveland County Jail for processing and booking. Notably, I observed what appeared to be two bullet holes in the front driver's side bumper and an additional bullet hole on the back passenger side door frame. **SUBJECT VEHICLE** was sealed and towed to a monitored and secured site.

CONCLUSION

16. Based on the aforementioned facts and circumstances, I respectfully submit that there is probable cause to believe that TAYLOR has used **SUBJECT VEHICLE** to facilitate violations of 18 U.S.C. § 922(o) – specifically, transporting machineguns in this vehicle. Additionally, there is probable cause to believe that there exists evidence of his criminal activity in **SUBJECT VEHICLE**, and that this evidence, listed in Attachment B to this Affidavit, which is incorporated herein by reference, includes contraband, the fruits of crime, or things otherwise criminally possessed, or property which is or has been used as the means of committing the foregoing offenses.

17. Because this warrant seeks only permission to search **SUBJECT VEHICLE**, which is already in law enforcement custody in a secured lot, the execution of this warrant does not involve the physical intrusion onto a premises. Consequently, I submit that there is reasonable cause for the Court to authorize execution of the warrant at any time in the day or night.

18. I respectfully request that the attached warrant for the **SUBJECT VEHICLE** described in **Attachment A** be issued authorizing the search and seizure of the items listed in **Attachment B**.



DAVID J. McCAULEY, JR.
Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn and subscribed before me this 16th day of August, 2023.



AMANDA MAXFIELD GREEN
U.S. MAGISTRATE JUDGE

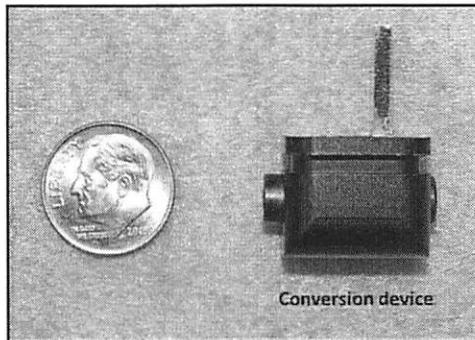
ATTACHMENT A

1. **SUBJECT VEHICLE** is described as a white in color 2013 Infinity model M37 sedan bearing Oklahoma license plate (OKLP) NGJ092 and vehicle identification number (VIN) JN1BY1AR8DM600903.
2. **SUBJECT VEHICLE** is currently in law enforcement custody within the Western District of Oklahoma, secured at Morgan Towing Secured Lot, located at 317 NE 31st Street, Oklahoma City, Oklahoma 73105.



ATTACHMENT B

1. Firearms, firearm parts, ammunition, and any documents indicating the possession, sale, receipt, purchase, or barter for items in exchange for firearms, firearm parts, or property, specifically: ammunition packaging, containers, labels, receipts, and other items pertaining to the possession of firearms and/or firearm parts, including gun cases, ammunition magazines, holsters, spare parts for firearms, firearms cleaning equipment, photographs of firearms or of persons in possession of firearms, and receipts for the purchase and/or repair of all of these items. A machinegun conversion device, or a "Glock switch," is a part, or combination of parts, designed and intended for use in converting a semi-automatic Glock pistol into a machine gun. Machinegun conversion devices are small in size and easily concealable. (See example below, in which a machinegun conversion device is depicted next to a dime.)



2. Records and documents which reflect the sale, trade, pawn, receipt, or disposition of any firearm, buyer lists, seller lists, books reflecting the value of firearms and/or notes, cryptic or otherwise, pay/owe sheets, records of sales, log books, ledgers, documents and photographs which reflect relationships between identified and/or unidentified co-conspirators to include personal telephone/address books, including electronic organizers and rolodexes, and financial instruments such as pre-pay and/or bank debit cards, credit cards, checkbooks, and any other financial instrument used to purchase goods and services, to include bulk amount of U.S. and/or foreign currencies.
3. Records that establish the persons who have control, possession, custody, or dominion over the property and vehicles searched and from which evidence is seized, including but not limited to: personal mail; checkbooks; personal identification; notes; correspondence; utility bills; rental agreements and receipts; payment receipts; keys; leases; mortgage and loan documents; vehicle registration information; title documents; ownership warranties; receipts for vehicle parts; rental vehicle documentation regarding agreements and repairs; telephone answering machine and voicemail recordings; and fingerprints.

4. Records that provide evidence of transportation such as United States passports and/or other foreign country passports or visas, gas receipts, hotel receipts, copies of law enforcement traffic citations or parking tickets, public transportation receipts, and vehicle repair invoices and/or receipts.
5. Cellular phones, cellular phone bills and/or receipts, calling cards, land line bills and/or receipts, SIM cards, and cellular telephone battery chargers.
6. Records related to banking activity to include bank and credit card statements, check registers, deposit and withdrawal slips, ATM receipts, cancelled checks, certificates of deposit, notes, account applications, money drafts, letters of credit, money orders, cashiers' checks and receipts for same, bank checks, certificates of deposit, safety deposit slips, stock certificates, bonds, bearer instruments, money market accounts statements, letters of credit, wire transfers and bank reconciliations.
7. Other records including audio recordings, video recordings, memoranda, correspondence, diaries, maps, notes, address books, day planners, calendars, appointment books, newspaper clippings, articles, books, storage agreements and bills, storage locker keys, asset ownership records, journals, ledgers, financials, budgets, proposals, plans, contracts, agreements, bills of sale, delivery records, invoices, receipts, documentation of conveyances, deeds, and other papers. These records may be in many forms such as paper, electronic, or in code.
8. Documents and manuals that depict or instruct on subjects such as vehicle concealment, smuggling and federal firearms laws.
9. Safes, strong boxes, and/or other secure receptacles for the maintenance of valuable items, firearms and/or documents including books, records, and any keys or other evidence of the existence and usage of any lockers, safety deposit boxes or other secure receptacles situated elsewhere than at defendant's property.
10. Illegal drugs and/or paraphernalia.